

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— V. —

LUIS ACEVEDO,
a/k/a "Martinez,"
ANA GARCIA SANTANA,
a/k/a "Morena,"
RAFAEL PEREZ,
a/k/a "El Tio,"
a/k/a "Rafael Rivera," and
EDY HERNANDEZ-UBERIA,
a/k/a "Bale,"
a/k/a "Caballos,"

Defendants.

INDICTMENT

S7 07 Cr. 378 (LAK)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: AUG 1 8 2007
DATE FILED:

COUNT ONE

The Grand Jury charges:

1. From in or about January 2006, up to and including in or about January 2007, in the Southern District of New York and elsewhere, LUIS ACEVEDO, a/k/a "Martinez," ANA GARCIA SANTANA, a/k/a "Morena," RAFAEL PEREZ, a/k/a "El Tio," a/k/a "Rafael Rivera," and EDY HERNANDEZ-UBERIA, a/k/a "Bale," a/k/a "Caballos," the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that LUIS ACEVEDO, a/k/a "Martinez," ANA GARCIA SANTANA, a/k/a "Morena," RAFAEL PEREZ, a/k/a "El Tio," a/k/a "Rafael Rivera," EDY HERNANDEZ-UBERIA, a/k/a "Bale," a/k/a "Caballlos," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 1 kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about April 26, 2006, LUIS ACEVEDO, a/k/a "Martinez," the defendant, drove a minivan through Manhattan and into the Bronx, New York;

b. On or about August 11, 2006, ANA GARCIA SANTANA, a/k/a "Morena," the defendant, met with RAFAEL PEREZ, a/k/a "El Tio," a/k/a "Rafael Rivera," the defendant, in the vicinity of 2766 Barnes Avenue, in the Bronx, New York, to conduct a narcotics transaction.

c. On or about October 4, 2006, EDY HERNANDEZ-UBERIA, a/k/a "Bale," a/k/a "Caballlos," the defendant, and a co-

conspirator not named as a defendant herein ("CC-1") drove a vehicle containing approximately \$120,000 concealed in a secret compartment in the Bronx, New York.

(Title 21, United States Code, Section 846.)

Chinyi Allegro
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(Title 21, United States Code, 846)

MICHAEL J. GARCIA
United States Attorney

A TRUE BILL.

Cheryl Allyne
Foreperson.

8/16/07 TLL: Post 8/1/87 indictment filed.

Peek, MJ.